



Pet. Sec.

UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

JUN 29 2004

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In re application of
David Moy et al.
Serial No. 09/839,932
Filed: April 20, 2001

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DECISION ON
PETITION

For: PROCESS FOR PRODUCING SINGLE WALL NANOTUBES USING
UNSUPPORTED METAL CATALYSTS AND SINGLE WALL
NANOTUBES PRODUCED ACCORDING TO THIS METHOD :

This is a response to the "PETITION TO WITHDRAW HOLDING OF ABANDONMENT", filed January 26, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of December 09, 2003, for failure to timely file a proper response to the Office letter dated May 20, 2003 be withdrawn. The petitioner asserts that applicants timely filed a proper response and a Petition for Extension of Time to the Office letter of May 20, 2003 on November 19, 2003.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicants did file the proper response to the Office letter of May 20, 2003 in a timely manner. The evidence provided includes a copy of the response and Petition for Three Months Extension of Time with an executed Certificate of Mailing dated November 19, 2003 (Exhibit A and B).

Therefore, the abandonment is hereby withdrawn, and the application is returned to

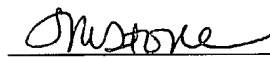


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pending status. The case will be forwarded to the Technical Support Staff for entering of the Response dated November 19, 2003 and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.


Jacqueline Stone, Director
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Chemical and Materials Engineering

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